

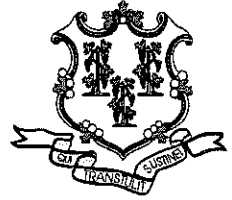


**STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES**

Public Hearing Testimony

Aging Committee

March 13, 2012



H.B. No. 5440 AN ACT CONCERNING VISITATION RIGHTS FOR GRANDPARENTS AND OTHER PERSONS

The Department of Children and Families **supports** H.B. No. 5440 - An Act Concerning Visitation Rights for Grandparents and Other Persons. This bill codifies the recommendations of the Task Force to Study Grandparents' Visitation Rights, which addresses visitation rights for grandparents under the jurisdiction of Family Court, consistent with the principals established under case law.

DCF participated on the task force and supports the effort to balance the constitutional right of parents to make decisions in the best interests of their children, with the desire of grandparents to be an important part of their grandchildren's lives. This bill accomplishes that goal by amending section 46b-59 of the general statutes to be consistent with the Connecticut Supreme Court's ruling in *Roth v. Weston*, 259 Conn. 202 (2002), and including criteria that will aid the Family Court in making its decision. While this statute does not specifically apply to visitation in DCF cases, the report does make mention of DCF operational definitions of "neglected" "dependent," and "uncared for," to provide indicators of emotional neglect in determining harm to a child, as envisioned in the Roth decision.